

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Marquis A. McCormick,

Case No. 3:16-cv-1778

Plaintiff

v.

JUDGMENT ENTRY

D & A Services,

Defendant

For the reasons stated in the Memorandum Opinion filed September 11, 2018, D & A's motion to dismiss is granted as follows: (1) Count I as it pertains to FDCPA §§ 1692g(a) overshadowing, 1692e false sense of urgency, and 1692j deceptive forms; (2) Count II in its entirety; (3) Count III in its entirety; (4) Count IV in its entirety; and (5) Count V in its entirety. (Doc. No. 15). D & A's motion to dismiss is denied as follows: (1) Count I as it pertains to FDCPA Sections 1692g(a)–Validation of debt notice, 1692e–False representation of the amount of the debt, and 1692f–Unfair practices; and (2) the corresponding OSCPA claims. (Doc. No. 15). D & A's motion for summary judgment and Mr. McCormick's motion for entry of judgment are denied without prejudice. (Doc. Nos. 15 & 25).

I deny as moot Mr. McCormick's motion for continuance. (Doc. No. 18). Mr. McCormick will have an opportunity to engage in discovery limited to his surviving claims.

s/ Jeffrey J. Helmick
United States District Judge